

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

**BARBARA A. WILHELM,
Plaintiff**

v.

**COMMONWEALTH OF PA.;
PENNSYLVANIA STATE POLICE;
COLONEL PAUL J. EVANKO,
COMMISSIONER; LIEUTENANT
COLONEL THOMAS K. COURY; and
CAPTAIN MICHAEL. D. SIMMERS,
Defendants**

: **NO. 1:CV-01-1057**

: **(JUDGE RAMBO)**

: **Electronically Filed**

**MOTION TO COMPEL PAYMENT OF DAMAGES, ATTORNEY'S
FEES AND COSTS PLUS INTEREST**

AND NOW, comes plaintiff, Barbara A. Wilhelm, by and through her attorney, Nathan C. Pringle, Jr., to file her motion to compel payment of damages, attorney's fees and costs with interest, and avers as follows:

1. On May 8, 2003, judgment in favor Ms. Wilhelm in the amount of \$280,020.17, plus \$12.62 per day in interest was entered by the District Court Clerk.
2. On August 15, 2003, this Court awarded attorney's fees in the amount of \$190,232 and costs in the amount of 27,907.05.

3. Until recently, the Pennsylvania State Police has refused to pay attorney's fees and costs.

4. Recently, the Pennsylvania State Police agreed to pay attorney's fees and costs plus interest, but has yet to indicate when payment would be made.

5. Despite Ms. Wilhelm's repeated attempts, without the intervention of this Court, to persuade the Pennsylvania State Police to pay the damages awarded to Ms. Wilhelm by the jury and this Court, the Pennsylvania State Police refuses to pay.

5. Even after notifying counsel for Pennsylvania State Police, Ms. Susan Forney, of Ms. Wilhelm's intent to seek intervention by this Court, the defendant remains adamant and refuses.

6. The Pennsylvania State Police's refusal to pay Ms. Wilhelm all money owed is in defiance of this Court's unambiguous orders and in contempt for the all judicial proceedings which awarded Ms. Wilhelm damages, fees, and costs.

7. Given the deliberate dilatory tactics by the Pennsylvania State Police, fourteen days is more than enough time to make all payments.

WHEREFORE, Ms. Wilhelm respectfully urges this Honorable Court to grant her motion to compel the Pennsylvania State Police to pay all damages, attorney's fees, and costs owed plus interest within fourteen days.

Respectfully Submitted,

/s Nathan C. Pringle, Jr.
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February 14, 2004